



CITY OF SEMINOLE

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Office of the City Clerk
ADMINISTRATORS OFFICE

May 11, 2006

Pinellas County Charter Review Commission
c/o Elithia Stanfield
Assistant County Administrator
315 Court Street, 6th Floor
Clearwater, Florida 33756

Dear Chairman Bomstein and Charter Review Commission Members:

On behalf of the Seminole City Council, I have enclosed a copy of Resolution 08-2006, and Resolution 09-2006, opposing proposed recommendations of the Charter Review Commission. These Resolutions were approved by City Council during their meeting of May 9, 2006.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Lesley DeMuth
City Clerk

cc: Kurt Spitzer
Susan Churuti
Chris Staubus
Linda Reed

Enclosures

RESOLUTION NO. 08-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA, REQUESTING THE PINELLAS COUNTY CHARTER REVIEW COMMISSION REJECT ALL OF THE PROPOSED CHARTER PROVISIONS RELATED TO ANNEXATION POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed charter provisions make annexation more difficult and help to preserve the status quo of inefficient city/county jurisdictional boundaries; and

WHEREAS, the proposed changes would conflict with statewide annexation law creating a precedent for a hodgepodge of inconsistent and conflicting annexation laws across the state; and

WHEREAS, the 50% coterminous rule for non-referendum referendum, hereafter referred to as "property owner referendums," annexations is overly simplistic and arbitrary, and further restricts a cities ability to annex; and

WHEREAS, the 66% parcel and acreage consent requirement for property owner referendums is overly burdensome and arbitrary, and completely without justification; and

WHEREAS, property owner referendums are a vote of the property owners and should have no greater requirement for a majority than an annexation referendum of registered voters (simple majority); and

WHEREAS, the 60/30 day revocable written consent proposal for property owner referendums will create an opportunity for consenting property owners to be harassed and threatened by opposing property owners up to and including at the annexation public hearing(s); and

WHEREAS, the 60/30 day revocable written consent proposal would essentially allow property owners to change their "vote" after the election; and

WHEREAS, the 60/30 day revocable written consent proposal will introduce a tremendous amount of chaos and conflict in a system that is currently sound and effective; and

WHEREAS, limiting repeat annexations to seven years is overly long and unnecessarily restricts the rights of residents to have a choice regarding annexation; and

WHEREAS, the proposed notice requirements for all referendum types is unprecedented and far exceeds any notice requirement for any other type of election or referendum regardless of the subject; and

WHEREAS, the proposed notice requirement is overly burdensome, adds unnecessary cost to the process and is no more than an additional step that complicates the process and increases opportunities for conflict and litigation in order to prevent annexation in general; and

WHEREAS, the proposed incentive limitation language creates confusion and is already addressed by existing laws.

RESOLUTION NO. 09-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA, OPPOSING THE PROPOSAL OF THE PINELLAS COUNTY CHARTER REVIEW COMMISSION THAT WOULD ELIMINATE THE DUAL REFERENDUM REQUIREMENT FOR A CHANGE OF ANY FUNCTION, SERVICE, POWER OR REGULATORY AUTHORITY OF A MUNICIPALITY, SPECIAL DISTRICT OR THE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Charter Review Commission has tentatively approved a proposal to amend Section 6.04 of the County Charter to remove the requirement that the voters of the county and the voters of an affected municipality or special district must approve by dual referendum any amendment to the Charter that would change any function, service, power, or regulatory authority of a municipality special district, or the county; and

WHEREAS, the proposed amendment, if adopted and if interpreted liberally, would erode the authority of the municipalities and special districts of Pinellas County by permitting the usurpation of their functions and regulatory authorities.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEMINOLE, FLORIDA:

Section 1. The City Council hereby expresses its opposition to the proposed amendment to the County Charter that would remove the requirement that the voters of the county and the voters of an affected municipality or special district must approve any amendment to the Charter that would change any function, service, power, or regulatory authority of a municipality, special district, or county.


Section 2. A copy of this Resolution shall be provided to the Pinellas County Charter Review Commission.

Section 3. This Resolution shall become effective immediately upon its adoption.

Passed and adopted this 9 day of May 2006, by the Council of the City of Seminole, Florida.


Dottie K. Reeder, Mayor

ATTEST:


Lesley DeMuth, City Clerk


NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEMINOLE, FLORIDA:

Section 1. The City Council urges the Pinellas County Charter Review Commission to reject all of the proposed annexation policy related charter and legislative proposals.


Section 2. A copy of this Resolution shall be provided to the Pinellas County Charter Review Commission.

Section 3. This Resolution shall become effective immediately upon its adoption.

Passed and adopted this 9 day of May 2006, by the Council of the City of Seminole, Florida.


Dottie K. Reeder, Mayor

ATTEST:


Lesley DeMuth, City Clerk